

Remarks/Arguments

Reconsideration of this Application is requested.

Claims 1, 2, 4 and 8 have been rejected by the Examiner under 35 U.S.C. § 103(a) as being unpatentable over Kadaba U.S. Patent Application Publication Number 2004/0215480 in view of Brookner et al., U.S. Patent number 7,120,610.

The Examiner states the following on page 5 of the Final Rejection.

"As per claim 1, Kadaba discloses a method comprising the steps of: a sender metering, by a sender, mail that is being deposited with a first carrier [0053]; transmitting from the meter data center to a first carrier meter payment center the funds attributable to the first and second carriers; and transmitting from the first meter payment data center to the second meter payment data center the funds attributable to the second carrier [0098]. Kadaba does not explicitly disclose a first carrier located in a first country and a second carrier located in a second country. However, it is obvious that the carriers can be located in any country because the payments are made and transmitted electronically. It has been well established that communicating to someone electronically can take place any where in the world. Furthermore, it is well known by one of ordinary skill in the art at the time of the invention that mail is delivered internationally using more than one shipper. For example, a package being delivered from the US to France would utilize the services of the USPS for initial handling and La Poste (French Postal Service) for final delivery."

Kadaba discloses the following in paragraph 0053.

[0053] "The shipper's computer system 20 has software distributed by the first carrier making it configured to record the PLD information necessary to sort, meter and ship each of the packages. In one example, the computer system 20 of the shipper 11 is connectable over the network 21 to a web server (not shown) of the first carrier computer system 22. The web server of the first carrier computer system is configured to send data across the network to display web pages on the shipper computer system 20. Alternatively, the shipper 11 could be directly equipped with software

downloaded from the first carrier computer system 22, or sent on media by the first carrier for installation on the shipper computer system 20. “

Kadaba discloses the following in paragraph 0098.

[0098] “Billing by the second carrier is implemented by a portion the second carrier computer system 23 which is connected in communication with the verification system 43 and is configured to receive the daily manifest therefrom. Also connected in communication with the second carrier computer system 23 is an escrow account 229 (set up at initiation of the system 10) from which the second carrier can withdraw funds for payment of the fees associated with each daily manifest. In this manner, the second carrier always has immediate access to funds once it has received and completed auditing of the daily manifest.”

Kadaba utilizes a manifest to bill the second carrier.

The Examiner stated above that it is well known by one of ordinary skill in the art at the time of the invention that mail is delivered internationally using more than one shipper. For example, a package being delivered from the U.S. to France would utilize the services of the U.S.P.S. for initial handling and La Poste for final delivery. The Examiner stated the current condition. However, the Examiner did not state the problem the posts are having with the current condition namely, how to accurately pay each post for the services they perform for delivering metered mail i.e. mail that is paid for by a postal indicia affixed to the mail piece and charged to a meter.

Currently the Universal Postal Union has a complex system that administers contracts between member post offices relating to terminal dues paid between and among different post offices. Terminal dues are the payments made between national postal administrations to cover the costs of handling and delivering international mail. Rates are established by the Universal Postal Union and through bilateral and multilateral agreements. Typically, a post office will charge another post office for the delivery of mail to a recipient within its jurisdiction. For instance, if mail is sent from the United States to France, the United States post office will deliver the mail to the La

Poste and the La Poste will deliver the mail to the recipient. At the end of a predetermined time, the United States post office and the La Poste will tabulate, by weight, all of the mail each post office delivered for the other post office and calculate how much money one post office owes to the other post office.

One of the disadvantages of the above procedure is that it does not accurately determine the services performed by each post office.

An additional disadvantage of the prior art is that each post office was not sure that it was receiving the proper amount of money for the services it was performing.

A further disadvantage of the prior art is that mail did not have an indication of the value of the services produced by different post offices.

This invention overcomes the disadvantages of the prior art by making it easier for various post offices to calculate accurately terminal dues by providing information to the post office regarding each piece or parcel of mail that crosses an international border by utilizing a meter.

The Examiner states the following in pages 5 and 6 of the Final Rejection.

“Kadaba does not disclose charging a sender's meter and transmitting the funds charged to the meter to a meter data center; and transmitting from the meter data sender funds attributable to the carrier. However, Brookner et al discloses the meter data center communicates with sender franking machine to obtain transaction records to account for postage consumption [col 6, lines 7-24]. Brookner et al further discloses the meter data center initiates payment to a first carrier by transmitting the postage franked by the meter to a settlement center to initiate funds If transfer to a carrier [col 8, lines 6-11].”

Brookner discloses the following in Column 6 lines 7-47.

“FIG. 5 illustrates the postage finance arrangement in accordance with the invention where data center 503 communicates with franking systems 100 and 505-1 through 505-N to, among other things, obtain therefrom franking transaction records from time to time to account for their postage consumptions, respectively, where N represents an integer greater than or equal to one. In this illustrative embodiment, each of franking systems

505-1 through 505-N is structurally identical to system 100 described above. Data center 503 comprises computer system 507 which is capable of communicating data with selected ones of franking systems 100 and 505-1 through 505-N via communication connections established by modem pool 509. These connections may be, e.g., dial-up connections, Internet connections, etc. The data communications between data center 503 and the franking systems may be in accordance with the protocol] disclosed in U.S. Pat. No. 5,715:164 issued Feb. 3, 1998 to Liechti et al. In this illustrative embodiment, computer system 507 initiates communications with franking systems 100 and 505-1 through 505-N periodically to obtain the respective transaction records, from which the postage consumptions for the period is derived in a manner described below. Such postage consumptions are then accounted for by charging same to the accounts associated with the franking systems, where such accounts may be checking accounts, debit accounts, credit accounts, revolving credit accounts, profunded accounts, escrow accounts, etc., held by one or more financial institutions. To that end, system 507 maintains database 540 therein, which contains financial account records concerning the respective franking systems served by data center 503. Alternatively, database 540 may be remote from data center 503. FIG. 6 illustrates the format of each financial account record in database 540. In this instance, each franking system is identified by a PSD serial number in field 603 pre-assigned to its PSD. Field 605 contains intonation concerning the financial account associated with the franking system, which includes a financial account number, and data identifying the financial institution with which the account is maintained.”

Brookner discloses the following in Column 8, line 6-17.

“In response, settlement system 565 causes transfer of funds in the amount of the franked postage from the financial account associated with franking system 100 to a predetermined postal authority account. System 565 then sends to postal authority computer 550 a message indicating the completion of the funds transfer. Postal authority computer 550 may analyze and/or audit the franking transaction records of franking system 100 for any reporting cycle, which were forwarded thereto by data center 503, to verify whether the amount of the funds transferred to the postal authority account matches the postage consumed by system 100 in that cycle.”

Brookner discloses only one postal authority i.e. postal authority computer 550.

The art cited by the Examiner does not disclose or anticipate the following steps of Claim 1, namely transmitting from the meter data center to a first carrier meter payment center located in the first country the funds attributable to the first and second carriers; and

transmitting from the first meter payment data center to the second meter payment data center located in the second country the funds attributable to the second carrier.

The art cited by the examiner does not disclose the payment of funds to a first carrier meter payment center located in a first country and the transfer of funds to a second meter payment center located in a second country.

Claims 3 and 5 have been rejected by the Examiner under 35 U.S.C. 103(a) as being unpatentable over Kadaba [US 2004/0215480] in view of Brookner et al [US 7,120,610] as applied to claim 2 and 4 above, and further in view of Konick [US 2003/0115162].

Konick discloses the following in paragraph 0167.

[0167] "In the preferred embodiment of the V-STAMP Shipper shown in FIG. 7 (front) and FIG. 8 (back), the originator can designate the special shipping services desired on the V-STAMP Shipper. Another embodiment of the invention would be to have separate, distinct, V -STAMP Shippers for each special shipping service required. In either embodiment, the V-STAMP Shipper is used in conjunction with the V-STAMP label to uniquely and securely identify the originator of the package or mail, and designate an existing account against which the cost of the special shipping services designated are charged."

While Konick may charge a sender for special handling of a mail item. In addition to the arguments set forth above. Konick does not disclose or anticipate charging a second carrier for the funds attributable to the costs of the second carrier as claimed in Claim 5.

Claims 6 and 7 have been rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Kadaba [US 2004/0215480]. In view of Brookner et al [US 7, 120,610] as applied to Claim 1 above, and further in view of Wade [US 2003/0009351].

Wade discloses the following in paragraph 0030.

[0030] "The invention will now be described in connection with attached FIG. 1. For ease of discussion, FIG. 1 illustrates two domains. However, the invention can be used in connection with many more than two domains. Depending on how the invention is implemented, each domain may be a separate country, a separate region within a country, the territory of a public or private carrier, or a carrier's customer base (which could overlap with other carrier's customer bases). As illustrated in the upper left-hand corner of FIG. 1, a sender 100 in Domain 1 transmits a parcel using a Carrier 1 110 associated with Domain 1. Most likely, the Carrier 1 will scan the parcel upon receipt from the sender and upon passing-off 120 the parcel to Carrier 2 130. However, for ease of discussion, scans by the originating carrier are not illustrated in FIG. 1."

Wade discloses the following in paragraph 0034.

[0034] "The elapsed time data of Carrier 1 and Carrier 2 are then sent to a central processor which processes the data in accordance with a set of rules, thereby determining a periodic balancing payment 300. Alternatively, the processor could simply calculate a penalty for each country to pay."

Wade discloses the following in paragraph 0039.

[0039] "FIG. 2 tracks processing of a mailpiece on an international delivery. The process begins with step 400 when a customer mails a mailpiece. When received by the delivery service, in step 410, the mailpiece will undergo an acceptance scan, Scan A. The initial data related to the mailpiece is inputted at that point. The mailpiece next passes into a processing center, step 420, where it undergoes Scan G, an enroute processing scan. Next, step 430, the mailpiece embarks from its originating country. At this step the mailpiece undergoes a B Scan and a C Scan. These scans relate

to processing in the exchange office and assignment to transportation. Step 440 is international transport. At Step 450, the mailpiece is received by the foreign country. D Scan records receipt of the mail piece at that point. Step 460 relates to the mail piece passing through customs Scans E and F record entry into and out of customs. This information is important to the present invention as time in customs, which is beyond the control of the delivery service, is not included in the calculation of in-country processing time. Step 470 shows the mailpiece being handled at a processing plant. Another G Scan, enroute processing takes place. Step 480 notes the final delivery by the delivery service, the final time the mailpiece is handled by the delivery service. Another Scan G can take place at that point. Finally, in Step 490 the mailpiece is delivered, or delivery is attempted. Scan H corresponds to an attempted delivery. Scan I corresponds to a successful delivery.”

While it is true the Wade discloses a system that scans mail when the mail goes from a first domain to a second domain. Wade does not disclose or anticipate transferring funds from the first meter payment data center to the second country meter payment data center when mail is scanned in the second country.

Claim 9 has been rejected by the Examiner under 35 U.S.C. § 103(a) over Kadaba [US 2004/0215480] in view of Brookner et al [US 7,120,610] as applied to Claim 1 above, and further in view of Wade [US 2003/0009351] and Ashaari (U.S. 2004/0188522).

The Examiner states the following in page 9 of the Final Rejection.

“As per claim 9, Kadaba does not explicitly disclose further including the steps of: scanning the mail when the mail leaves the first country; scanning the mail when the mail arrives in the second country; and notifying the sender when the mail arrives in the second country. However, Wade discloses scanning the mail when it arrives at a first carrier associated with a first domain and scanning the mail when it is handed off to the second carrier associated with a second domain [0030] to determine a payment balance [0034; see Fig. 2]. Wade further discloses scanning mail when received in a foreign country [0039]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Kadaba to include the method disclosed by Wade. Wade provides the motivation that delivery services can mutually

track deliveries of mail and delivery performance [0013]. Furthermore, Ashaari discloses performing in-process scans of a mail item and notifying sender of the shipment status [0077]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Kadaba to include the method disclosed by Wade including notifying the sender when the mail arrives in the second country so that the sender knows that the mail was delivered."

Paragraphs 0030, 0034, and 0039 of Wade have been set forth above.

Wade discloses the following in paragraph 0013.

[0013] "An additional object of the present invention is that it provides a system and method whereby delivery services can mutually track deliveries of express mail. Where for instance one country sends its own express mail to a second country, while at the same time delivering the other country's express mail in its own country, both countries can implement the present invention. The method allows the two countries to track their own delivery performance and the other's delivery performance. Based upon certain criteria, the two countries can calculate offsets for compensation. "

Ashaari disclose the following in paragraph 0077.

[0077] " FIG. 11 is a flowchart of an induction and tracking method consistent with the present invention. At stage 1110, the system receives electronic mailing information from mailer and stores the information. At stage 1120, mailer has delivered the shipment and the system performs an induction scan. The system scans the encoded shipment identifier, matches it with the stored electronic mailing information, and notifies mailer of induction a step known as "Start the Clock". At stage 1130, the system may perform one or more in-process scans and matches, notifying mailer of the shipment status. At stage 1140, the last scan occurs and notification is made to mailer of the last scan. This stage is known as "Stop the Clock."

The art cited by the Examiner does not disclose or anticipate where the sender is notified when the mail piece arrives in the second country.

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In view of the above claims 1-10 are patentable. If the Examiner has any questions would the Examiner please call the undersigned at the telephone number noted below.

Please charge any additional fees that may be required or credit any overpayment to Deposit Account Number 16-1885.

Respectfully submitted,

/Ronald Reichman/
Ronald Reichman
Reg. No. 26,796
Attorney of Record
Telephone (203) 924-3854

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000